

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: BIRKELUND et al

Application No.: 09/446,677

Filed: March 24, 2000

For: SURFACE EXPOSED PROTEINS FROM CHLAMYDIA



Art Unit: 1645

APR 23 2001

Examiner: S. Davis

Washington, D.C.

Atty.'s Docket: BIRKELUND=1

Date: April 19, 2001

GAU 1645  
RECEIVED BOX SEQ  
TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an ☐ Amendment ☒ RESPONSE TO FURTHER "SEQUENCE LISTING" REQUIREMENT + Sequence Listing + Disk  
in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL	*	MINUS	** 20	0	x 9	\$		x 18	\$
INDEP.	*	MINUS	*** 3	0	x 39	\$		x 78	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 130	\$		+ 260	\$
					ADDITIONAL FEE TOTAL	\$	OR	TOTAL	\$

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- ☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00
- ☐ Second - \$ 195.00
- ☐ Third - \$ 445.00
- ☐ Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
- ☐ Second - \$ 390.00
- ☐ Third - \$ 890.00
- ☐ Fourth - \$ 1390.00

Month After Time Period Set

- ☐ Less fees (\$ ) already paid for month(s) extension of time on .

- ☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ .

- ☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ .

- ☐ A check in the amount of \$ is attached (check no. ).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR \$1.16 and all patent processing fees under 37 CFR \$1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR \$1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/446,677 03/24/00 BIRKELUND

S. BIRKELUND=1

HM22/0323

BROWDY AND NEIMARK  
419 SEVENTH STREET NW  
WASHINGTON DC 20004

EXAMINER

SHAHNAN-SHAH, K

ART UNIT

PAPER NUMBER

1645

DATE MAILED:

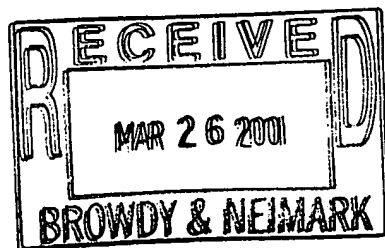
03/23/01

DOCKETED

Seq. List = 23 April 2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
Shahnan-Shah, K	
ART UNIT	PAPER NUMBER
1645	

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

This Application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821 - 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequences And/Or Amino Acid Sequence Disclosures.

Any inquiry concerning this communication should be directed to Patent Examiner Khatol Shahnan-Shah, Art Unit 1645. If unable to reach the examiner, Lynette F. Smith, SPE, can be contacted at (703) 308-43909.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

*Khatol Shahnan-Shah*  
3/22/01

Khatol Shahnan-Shah  
Patent Examiner  
Art Unit 1645

*Rodney P. Swartz*  
RODNEY P. SWARTZ, PH.D.  
PRIMARY EXAMINER  
3/22/01